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TAGS: [EAGR](#) [ECON](#) [ETRD](#) [TBIO](#) [KPAO](#)
SUBJECT: NORWEGIANS UNHELPFUL ON CARTAGENA PROTOCOL
BIOSAFETY LIABILITY AND REDRESS

REF: STATE 11910

Classified By: Political Counselor Kristen Bauer for reasons 1.4 (b) and (d)

¶1. (C) Poloff had a friendly discussion with the GON official, Birthe Ivars, who will represent Norway in Mexico City on 23-27 February to negotiate the text of proposed rules on liability and redress for damage resulting from cross-border movement of living modified organisms. The Norwegian position is opposed to ours in almost every respect. The following catalogue of GON positions is keyed to paragraph 6 of reftel demarche:

--Definition of Damage: The Norwegian position is that damage to biodiversity, human health, and loss of income should be included, although not "cultural" damage per se. The GON doesn't like the current language on "significant" damage because they find it vague and insufficiently sweeping.

--Definition of Operator: The Norwegians could "live with" the (narrow) definition we support, but also are not going to oppose a more broad definition of who is an operator.

--Standard of Liability: The Norwegians favor a strict-liability scheme, and oppose our fault-based scheme.

--Financial Security: The Norwegian position is that national governments should be able to decide whether they require insurance or not.

--Binding versus Nonbinding: The Norwegian government strongly desires a binding "administrative approach" system, as well as a binding civil liability system.

¶2. (C) Comment: Norway's positions are a direct result of the government platform of the current administration, and are unlikely to be changed through any amount of lobbying; USG persuasive efforts are best applied to other countries. End comment.
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